

13/07/2021
Item No.3.
Court No.8.
AB

Through Video Conference

W. P. A. 11211 of 2021

Gopinath Debnath & Others

Vs

The State of West Bengal & Others

Mr. Rajib Kumar Basu ...for the Petitioners.

Mr. Bipin Ghosh,
Mr. Ashish Guha ...for the State.

The petitioners complain of police over action.

Learned advocate appearing for the petitioners submits that, the petitioners are making construction of a building under a Government scheme on the land belonging to the petitioners. The police stopped the petitioners from doing so illegally and wrongfully.

Learned advocate appearing for the State submits, on instructions, that, there is a proceeding under Section 144 of the Code of Criminal Procedure pending. He submits that, the court in seisin of such proceeding called for a report from the B.L. & L.R.O.

On a query from the court as to whether the petitioners are the absolute owners of the property or not, learned advocate for the petitioners referred to the records of right annexed to the writ petition.

Records of rights are not documents of title.

Be that as it may, even the records of right do not conclusively establish that the entirety of the plots concerned is under the possession of the petitioners. Apparently, there are disputes relating to an immovable property, which are civil in nature between the private parties. The private parties are at liberty to resolve such disputes before the appropriate forum in accordance with law.

In such circumstances, no further interference is called for by the writ court.

W.P.A. No.11211 of 2021 is disposed of, accordingly.

Urgent Photostat Certified copy of this order, if applied for, be supplied expeditiously after complying with all necessary legal formalities.

(Debangsu Basak, J.)